

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THOMAS NEVIUS,
Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS,
Defendant.

Case No.: 2:24-cv-01094-RFB-NJK

ORDER

I. DISCUSSION

On June 12, 2024, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), submitted a document titled Injunction. Docket No. 1-1. Plaintiff has not filed a complaint.

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff a **one-time** opportunity until **July 22, 2024**, to submit a complaint to this Court.

Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff is unable to file a complaint or before **July 22, 2024**, this case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to file a complaint. A dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint.

II. CONCLUSION

IT IS ORDERED that Plaintiff will submit a complaint to this Court on or before **July 22, 2024**.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court will also send Plaintiff a courtesy copy of his request for an injunction. Docket No. 1-1.

1 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this
2 action will be subject to dismissal without prejudice. A dismissal without prejudice allows
3 Plaintiff to refile the case with the Court, under a new case number.

4 IT IS SO ORDERED.

5 DATED: June 20, 2024.

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8 NANCY J. KOPPE
9 UNITED STATES MAGISTRATE JUDGE
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